

IN SENATE OF THE UNITED STATES,

DECEMBER 18, 1820.

Mr. NOBLE, from the Committee on Pensions, to whom was referred the petition of Park Avery,

REPORTED:

That the petitioner states he was placed upon the pension list and so continued, until the act of Congress was passed increasing pensions and making a difference in the allowance granted to disabled commissioned officers from that given to privates; that, under the aforesaid act, he presented his claim to the commissioner appointed by the judge of the district of Connecticut, substantiated his claim to a pension, proved himself to be a lieutenant, having in his possession his commission; and that, by mistake, the commissioner reported him as a private, and, in consequence of the mistake, he has only been allowed the pension due to a private. The petitioner, therefore, prays Congress to grant him the benefit of the said act, in the same manner as if no such mistake had intervened.

The committee, upon examination, find that the petitioner was originally placed on the pension roll at the rate of three dollars and thirty-three cents per month, commencing on the 4th of March, 1789, and, on the 3d of March, 1809, his pension was increased to five dollars per month.

The mistake represented by the petitioner is unsupported by any evidence, and rests solely upon the statements made by himself. The committee are of opinion that it would be unsafe to the government, in this or any other case, to rely upon facts represented alone by a petitioner. If the mistake, as alleged, existed or occurred, it must have been prior to the 3d of March, 1809, the time when his pension was increased; and it is believed, by the committee, justice was then done him; they, therefore, recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.

